

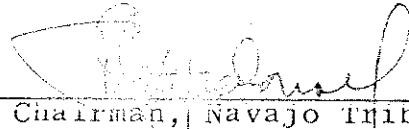
1. To construct and maintain the right-of-way in a workmanlike manner.
2. To pay promptly all damages and compensation, in addition to the deposit made pursuant to § 161.4, determined by the secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the right-of-way.
3. To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees, or subcontractors and their employees.
4. To restore the land as nearly as may be possible to their original condition upon the completion of construction to the extent compatible with the purpose for which the right-of-way was granted.
5. To clear and keep clear the lands within the right-of-way to the extent compatible with the purpose of the right-of-way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during the construction and maintenance of the project.
6. To take soil and resource conservation and protection measures, including weed control, on the land covered by the right-of-way.
7. To do everything reasonably within its power to prevent and suppress fires on or near the lands to be occupied under the right-of-way.
8. To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the right-of-way.
9. That upon revocation or termination of the right-of-way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.
10. To at all times keep the secretary informed of its address, and in case of corporations, of the address of its principal place of business and of the names and addresses of its principal officers.

Stipulations
C.F.R. 25, § 161.5

Attachment "A"
Page 2

11. That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way is granted.

THE NAVAJO TRIBE OF INDIANS

By 
Chairman, Navajo Tribal Council

done this _____ day of OCT,
1977.



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

IN REPLY REFER TO:

Land Operations

Chinle Agency
Post Office Box 7
Chinle, Arizona 86503

Memorandum

To: Navajo Area Director
Window Rock, Arizona
Attention: Area Real Property Management

From: Superintendent, Chinle Agency

Subject: R/W Application - GIA Branch of Roads, Phoenix Area Office,
Rt HJ-60-2 from Hopi Reservation Boundary to Navajo Rt 65
across Navajo-Hopi Joint Use Area, Navajo County, Arizona

In reference to your memorandum dated August 28, 1973, we have made the field check with the livestock operators along the proposed road construction, subject above.

The people have requested that if the right-of-way is going to be fenced the Navajo people living on the east side of the road would like very much to have two livestock underpasses made available for an access to livestock watering place which is located on the west side of the road.

Paul W. Hand
Superintendent, Chinle Agency

Enclosures

RECEIVED

SEP 10 1973

Area Director
Real Property Management

24-000-1

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 10 1973	
FBI - PHOENIX	

Roads

SEP 27 1973

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Memorandum

To: Project Officer
Joint Use Administrative Office

From: Branch of Roads

Subject: Right-of-Way Documents for HO-60-2 and N-65-1

We are transmitting the right-of-way documents for Hopi Route 60, Dwg. No. HO-60-2 and Navajo Route 65, Dwg. No. N-65-1, Hopi-Navajo Joint Use Area, Arizona, for approval and signature.

Enclosures include the following for each route:

- One original linen map of the right-of-way
- Two copies of the right-of-way map
- One original Application for Right-of-Way
- One copy of the Application for Right-of-Way
- One original Grant of Easement for Right-of-Way

Also enclosed is the Hopi Tribal Resolution granting the right-of-way, we have requested the Navajo Tribal Resolution granting the right-of-way and will send it to you when we receive it.

Retain the prints of the right-of-way map, the original and print of the Application for Right-of-Way and the Tribal Resolution granting right-of-way for your files. After completing the Grant of Easement for Right-of-Way by filling in the appropriate blanks on page 1 and signing on page 5, submit the Grant of Easement for Right-of-Way and the original linen map of the right-of-way to the Branch of Real Property Management, Phoenix Area Office. Necessary prints and distribution will be made at that time.

George S. Overby
Area Road Engineer

Enclosures

JDKelly:mb 9/28
cc: Drafting Section

UNITED STATES GOVERNMENT

Memorandum

TO : Real Property Management
Attn: Sammy Hernandez

DATE: September, 21, 1973

FROM : Branch of Roads
Drafting Section

SUBJECT: Rights-of-way distribution

Distribution of rights-of-way maps, Dwg. No. H0-60-1, Hopi Indian Reservation;
Dwg. Nos. H0-60-2 and N-65-1, Hopi-Navajo Joint Use Area, Arizona, to the
Southwest Title Plant is as follows:

One original linen map of the right-of-way

Two prints of the right-of-way map

One application for right-of-way

0 One original grant of easement for right-of-way

One tribal resolution granting right-of-way

Also inclosed are the following for Dwg. Nos. H0-60-2 and N-65-1 for the
Joint Use Administration Office:

Two prints of the right-of-way map

One application for right-of-way

One copy of the grant of easement for right-of-way

One tribal resolution granting right-of-way


Acting Area Road Engineer

Enclosures



RESOLUTION
HOPI TRIBE
H-48-73

WHEREAS, the Bureau of Indian Affairs is requesting permission to survey and construct the Low Mountain Road; and

WHEREAS, an all weather road to Low Mountain has been very high on the tribes priority list for many years; and

WHEREAS, the Tribal Council is always striving to provide a better highway system for the benefit of the people of northern Arizona;

NOW THEREFORE BE IT RESOLVED THAT the Tribal Council approve the request of the Bureau of Indian Affairs and the Chairman and Agency Superintendent are authorized to approve all R-O-W's, easements, and other documents necessary to complete the Low Mountain Road Project.

C E R T I F I C A T I O N

hereby certify that the foregoing Resolutions was regularly adopted by the Hopi Tribal Council on the 2nd day of August, 1973, by a vote of 8 in favor and 2 opposed, the Chairman not voting after full and free discussion on the merits.

WITNESSES:

Clarence C. Hamilton
Clarence C. Hamilton, Chairman
Hopi Tribal Council

Synthia Mase
Synthia Mase, Secretary
Hopi Tribal Council

Roads

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

AUG 21 1977

Memorandum

To: Area Director, Navajo Area
Attn: Branch of Real Property Management

From: Branch of Roads

Subject: Right-of-Way Documents for HO-60-2

The Phoenix Area Office, Branch of Roads is planning to construct Hopi Route 60 from the Hopi Indian Reservation Boundary to Navajo Route 65 across the Hopi-Navajo Joint Use Area. In order to accomplish this the consent of the Hopi Tribe and the Navajo Tribe is required.

Therefore we are sending you:

Three prints of the Right-of-Way Map
One copy of the "Application for Right-of-Way"
One original "Grant of Easement for Right-of-Way"

Please retain the prints of the map and the copy of the "Application for Right-of-Way" for your files and return the completed "Grant of Easement for Right-of-Way" and the Tribal Resolution granting the right-of-way to the Branch of Real Property Management, Phoenix Area Office. Necessary prints and distribution will be made at that time.

We are also sending these documents to the Hopi Agency for their approval.

Sincerely yours,

George S. Overby
Area Road Engineer

Enclosures

JDKelly/mb

cc: Drafting Section

APPLICATION FOR RIGHT-OF-WAY

The United States Department of the Interior, Bureau of Indian Affairs, Phoenix Area Office, Phoenix, Arizona, hereby makes application pursuant to Section 5 of the Act of February 5, 1948 (62 Stat. 17) and in accordance with Departmental Regulations 25 CFR 161 and 162 for a road right-of-way, 100 feet in width and 3.081 miles in length across the Hopi-Navajo Joint Use Area to be granted to the United States, its successors and assigns, with the right to construct, maintain, and repair improvements, thereon and thereover, for such purposes, and with the further right in the United States, its successors and assigns, to transfer said right-of-way by assignment, grant or otherwise. The location of said road and its extent are more particularly shown and delineated on the accompanying map, Drawing No. H0-60-2, which has been prepared in compliance with 25 CFR 161.6, and which by this reference is made a part hereof.

In the event the right-of-way herein applied for is granted, the United States Department of the Interior, Bureau of Indian Affairs, Navajo Agency, agrees to conform and abide by all pertinent rules and regulations of the Department of the Interior with special reference to Departmental Regulation 25 CFR 161.5, except 161.5(c).

IN WITNESS WHEREOF, the undersigned applicant has caused this instrument to be executed this 20th day of August 1973.

United States Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office

By [Signature]
George S. [Signature], Area Road Engineer

APPLICATION FOR RIGHT-OF-WAY

The United States Department of the Interior, Bureau of Indian Affairs, Phoenix Area Office, Phoenix, Arizona, hereby makes application pursuant to Section 5 of the Act of February 5, 1948 (62 Stat. 17) and in accordance with Departmental Regulations 25 CFR 161 and 162 for a road right-of-way, 100 feet in width and 3.081 miles in length across the Hopi-Navaċo Joint Use Area to be granted to the United States, its successors and assigns, with the right to construct, maintain, and repair improvements, thereon and thereover, for such purposes, and with the further right in the United States, its successors and assigns, to transfer said right-of-way by assignment, grant or otherwise. The location of said road and its extent are more particularly shown and delineated on the accompanying map, Drawing No. H0-60-2, which has been prepared in compliance with 25 CFR 161.6, and which by this reference is made a part hereof.

In the event the right-of-way herein applied for is granted, the United States Department of the Interior, Bureau of Indian Affairs, Navaċo Agency, agrees to conform and abide by all pertinent rules and regulations of the Department of the Interior with special reference to Departmental Regulation 25 CFR 161.5, except 161.5(c).

IN WITNESS WHEREOF, the undersigned applicant has caused this instrument to be executed this 20th day of August 1973.

United States Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office

By [Signature]
George S. [Name], Area Road Engineer

Roads

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

AUG 21 1973

Memorandum

To: Superintendent, Hopi Agency
Attn: Roads and Realty

From: Branch of Roads

Subject: Right-of-Way Documents for HO-60-2

The Phoenix Area Office, Branch of Roads is planning to construct Hopi Route 60 from the Hopi Indian Reservation Boundary to Navajo Route 65 across the Hopi-Navajo Joint Use Area. In order to accomplish this the consent of the Hopi Tribe and the Navajo Tribe is required.

Therefore we are sending you:

Three prints of Right-of-Way Map
One copy of Application for Right-of-Way
One original Grant of Easement for Right-of-Way

Please retain the prints of the right-of-way map and the copy of the Application for Right-of-Way for your files. Submit the completed Grant of Easement for Right-of-Way and the Tribal Resolution granting the right-of-way to the Branch of Real Property Management, Phoenix Area Office. Necessary prints and distribution will be made at that time.

We are also sending these documents to the Navajo Area Office for their approval.

George S. Overby
Area Road Engineer

Enclosures

JDKelly/mb 8/20/73

cc:
Drafting

APPLICATION FOR RIGHT-OF-WAY

The United States Department of the Interior, Bureau of Indian Affairs, Phoenix Area Office, Phoenix, Arizona, hereby makes application pursuant to Section 5 of the Act of February 5, 1948 (62 Stat. 17) and in accordance with Departmental Regulations 25 CFR 161 and 162 for a road right-of-way, 100 feet in width and 3.081 miles in length across the Hopi-Navajo Joint Use Area to be granted to the United States, its successors and assigns, with the right to construct, maintain, and repair improvements, thereon and thereover, for such purposes, and with the further right in the United States, its successors and assigns, to transfer said right-of-way by assignment, grant or otherwise. The location of said road and its extent are more particularly shown and delineated on the accompanying map, Drawing No. HO-60-2, which has been prepared in compliance with 25 CFR 161.6, and which by this reference is made a part hereof.

In the event the right-of-way herein applied for is granted, the United States Department of the Interior, Bureau of Indian Affairs, Hopi Agency, agrees to conform and abide by all pertinent rules and regulations of the Department of the Interior with special reference to Departmental Regulation 25 CFR 161.5, except 161.5(c).

IN WITNESS WHEREOF, the undersigned applicant has caused this instrument to be executed this 20th day of August 19 73.

United States Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office

By George S. Overby
George S. Overby, Area Road Engineer

APPLICATION FOR RIGHT-OF-WAY

The United States Department of the Interior, Bureau of Indian Affairs, Phoenix Area Office, Phoenix, Arizona, hereby makes application pursuant to Section 5 of the Act of February 5, 1948 (62 Stat. 17) and in accordance with Departmental Regulations 25 CFR 161 and 162 for a road right-of-way, 100 feet in width and 3.081 miles in length across the Hopi-Navajo Joint Use Area to be granted to the United States, its successors and assigns, with the right to construct, maintain, and repair improvements, thereon and thereover, for such purposes, and with the further right in the United States, its successors and assigns, to transfer said right-of-way by assignment, grant or otherwise. The location of said road and its extent are more particularly shown and delineated on the accompanying map, Drawing No. H0-60-2, which has been prepared in compliance with 25 CFR 161.6, and which by this reference is made a part hereof.

In the event the right-of-way herein applied for is granted, the United States Department of the Interior, Bureau of Indian Affairs, Hopi Agency, agrees to conform and abide by all pertinent rules and regulations of the Department of the Interior with special reference to Departmental Regulation 25 CFR 161.5, except 161.5(c).

IN WITNESS WHEREOF, the undersigned applicant has caused this instrument to be executed this 20th day of August 19 73.

United States Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office

By George S. Overby
George S. Overby, Area Road Engineer

APPLICATION FOR RIGHT-OF-WAY

The United States Department of the Interior, Bureau of Indian Affairs, Phoenix Area Office, Phoenix, Arizona, hereby makes application pursuant to Section 5 of the Act of February 5, 1948 (62 Stat. 17) and in accordance with Departmental Regulations 25 CFR 161 and 162 for a road right-of-way, 100 feet in width and 3.081 miles in length across the Hopi-Navajo Joint Use Area to be granted to the United States, its successors and assigns, with the right to construct, maintain, and repair improvements, thereon and thereover, for such purposes, and with the further right in the United States, its successors and assigns, to transfer said right-of-way by assignment, grant or otherwise. The location of said road and its extent are more particularly shown and delineated on the accompanying map, Drawing No. HO-60-2, which has been prepared in compliance with 25 CFR 161.6, and which by this reference is made a part hereof.

In the event the right-of-way herein applied for is granted, the United States Department of the Interior, Bureau of Indian Affairs, Hopi Agency, agrees to conform and abide by all pertinent rules and regulations of the Department of the Interior with special reference to Departmental Regulation 25 CFR 161.5, except 161.5(c).

IN WITNESS WHEREOF, the undersigned applicant has caused this instrument to be executed this 20th day of August 1973.

United States Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office

By George S. Overby
George S. Overby, Area Road Engineer

TRIBAL Lands of the Hopi-Navajo Jt.
ROUTE NO. 60 Use Area
FILE NO. _____

GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the United States of America, acting by and through Francis J. Boger, Act. Supt., Hopi Agency, Bureau of Indian Affairs, Department of the Interior, Keams Canyon, Arizona, hereinafter referred to as "Grantor," under authority contained in Secretarial Order No. 2508, Amdt. 9 (20 F.R. 167-168), 10 BIA 3 (34 F.R. 637), and Phoenix Area Office Redesignation Order 3 (34 F.R. 11108); and pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 17, 25 U.S.C. 323-328), and Part 161, Title 25, Code of Federal Regulations, in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is acknowledged, does hereby grant to the Bureau of Indian Affairs, Department of the Interior, its successors and assigns, hereinafter referred to as "Grantee," an easement for a right-of-way for the following purposes, namely: The right to enter upon the hereinafter described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a public road, including incidental purposes consistent therewith, together with such bridges, culverts, ramps, and cuts as may be necessary, on, over, under, and across the ground embraced within the right-of-way situated on the following described lands located in the County of Navajo, State of Arizona:

A right-of-way, 100 feet in width across the Hopi-Navajo Joint Use Area located in unsurveyed Section 3, T. 29 N., R. 20 E., and unsurveyed Sections 25, 26, 34 and 35, T. 30 N., R. 20 E., G&SRB&M, Arizona. The said easement as shown on Map No. HO-60-2, attached hereto and whose centerline is more particularly described as follows:

Beginning at Station 560+29.90 (HO-60-1 Station 560+29.90), which bears S.54°02'E., 1,521.60 feet from Hopi Indian Reservation Boundary Mile Post 55; thence N.58°08'34"E., to P.C. Station 563+10.50; thence northeasterly 534.19 feet along Curve No. 1, concave to the northwest (having an angle of intersection of 104°1'02", a degree of curve of 2°00'00" and a tangent of 267.07 feet) to P.T. Station 568+44.75; thence N.47°27'32"E. to P.C. Station 592+20.44, thence

1 northeasterly 444.95 feet along Curve No. 2, concave to the northwest (having
2 an angle of intersection of $170^{\circ}47'52''$, a degree of curve of $4^{\circ}00'00''$ and a
3 tangent of 224.28 feet) to P.T. Station 596+65.39; thence $N.29^{\circ}39'40''E.$ to P.C
4 Station 602+91.33; thence northeasterly 336.08 feet along Curve No. 3, concave
5 to the southeast (having an angle of intersection of $6^{\circ}43'18''$, a degree of
6 curve of $2^{\circ}00'00''$ and a tangent of 168.23 feet) to P.T. Station 606+27.41; thence
7 $N.36^{\circ}22'58''E.$ to P.C. Station 642+62.37; thence northeasterly 1,425.89 feet
8 along Curve No. 4, concave to the southeast (having an angle of intersection
9 of $3^{\circ}33'53''$, a degree of curve of $0^{\circ}15'00''$ and a tangent of 713.17 feet) to P.T.
10 Station 656+88.26; thence $N.39^{\circ}56'51''E.$ to P.C. Station 675+39.22; thence north-
11 easterly 554.61 feet along Curve No. 5, concave to the southeast (having an angle
12 of intersection of $11^{\circ}05'32''$, a degree of curve of $2^{\circ}00'00''$ and a tangent of
13 278.18 feet) to P.T. Station 680+93.83 Back = P.T. Station 680+93.80 Ahead
14 EQUATION; thence $N.51^{\circ}02'23''E.$ to P.C. Station 711+32.75; thence northeasterly
15 1,167.25 feet along Curve No. 6, concave to the southeast (having an angle of
16 intersection of $70^{\circ}15'44''$, a degree of curve of $3^{\circ}30'00''$ and a tangent of 1,151.
17 85 feet) to end of right-of-way P.O.C. Station 723+00 (N-65-1 Station 723+00)
18 ($N.1,809,975.966$; $E.506,475.725$, Arizona East Zone); which bears $N.37^{\circ}45'55''W.$,
19 15,731.26 feet from "LOW MTN. W.T. (U.S.G.S. Triangulation Station) ($N1,797,482.$
20 989; $E.516,601.999$, Arizona East Zone).

21 The described easement contains 37.353 acres, more or less.
22
23
24
25
26
27
28
29
30
31
32

1 TO HAVE AND TO HOLD the said easement and right-of-way unto the
2 Grantee and unto its successors and assigns, together with the right to
3 authorize, permit and license the use thereof for utility lines, including
4 water and sewer lines, when these are not inconsistent with the use of the
5 property for a public road, and with the further right in the Grantee, its
6 successors and assigns to transfer said right-of-way by assignment, grant, or
7 otherwise.

8 The said easement to include the right to cut back and trim such
9 portion of the branches and tops of the trees now growing or that may hereafter
10 grow upon the above-described premises, as may extend over said right-of-way,
11 so as to prevent the same from interfering with the efficient maintenance and
12 operation of said public road.

13 This easement is subject to any prior valid existing right or adverse
14 claim and is without limitation as to tenure, so long as said easement shall be
15 actually used for the purpose above specified; PROVIDED, that this right-of-way
16 shall be terminable in whole or in part by the Grantor for any of the following
17 causes upon 30 days' written notice and failure of the Grantee within said
18 notice period to correct the basis for termination (25 CFR 161.20):

19 A. Failure to comply with any term or condition of the grant or the
20 applicable regulations.

21 B. A nonuse of the right-of-way for a consecutive two-year period
22 for the purpose for which it was granted.

23 C. An abandonment of the right-of-way.

24 D. Failure of the Grantee, upon the completion of construction, to
25 file with the Grantor an affidavit of completion pursuant to 25 CFR 161.16.

26 The condition of this easement shall extend to and be binding upon
27 and shall inure to the benefit of the successors and assigns of the Grantee.

28 This easement is expressly subject to the stipulations required by
29 25 CFR 161.5 except those required by subsection (c) thereof are hereby waived.
30
31
32

1 IN WITNESS WHEREOF, Grantor has executed this grant of easement
2 this 4th day of September, 1973.

3 UNITED STATES OF AMERICA

4
5 By Francis J. Boger
6 Francis J. Boger, ~~XXX~~ Superintendent
7 U.S. DEPARTMENT OF THE INTERIOR
8 BUREAU OF INDIAN AFFAIRS
9 Hopi Agency
10 Keams Canyon, Arizona 86034

11 A C K N O W L E D G M E N T

12 STATE OF ARIZONA)
13) ss
14 COUNTY OF NAVAJO)

15 BEFORE ME, a Notary Public, in and for said County and State, on
16 this 4th day of September, 19 73, personally
17 appeared Francis J. Boger, whose name is subscribed
18 to the foregoing Grant of Easement for Right-of-Way as Francis J. Boger,
19 Superintendent, Bureau of Indian Affairs, and
20 who acknowledged that he is and was at the time of signing the same,
21 Superintendent, Bureau of Indian Affairs; and he
22 personally acknowledged to me that he executed the said Grant of Easement for
23 Right-of-Way as his free and voluntary act and deed for the uses and purposes
24 set forth therein.

25 Willis G. Louwage
26 Willis G. Louwage
27 Notary Public
28 Box 201
29 Keams Canyon, Arizona 86034

30 My Commission Expires March 19, 1975
31 My Commission Expires:
32

Roads

OCT 17 1973

Memorandum

To: Project Officer
Joint Use Administrative Office

From: Branch of Roads

Subject: Rights-of-Way Documents for H0-60-2 and N-65-1

Enclosed is a copy of a letter from the Navajo Area Director containing an approval by the Navajo Tribal Chairman to construct, operate and maintain Hopi Route 60 across the Navajo-Hopi Joint Use Area.

This approval requests turnouts to residences, gates, and cattle passes which will be complied within the design. The approval also contains a list of stipulations from 25 CFR 161.5 which will be complied with excepting stipulation number 3 (which is 25 CFR 161.5(c)). We cannot comply with this stipulation as an officer of the United States cannot bind the United States to this condition; therefore we request it be waived as provided for by the last paragraph of 25 CFR 161.5.

Also included is an original Grant of Easement for Right-of-way for Hopi Route 60-2 and Navajo Route 65-1, please fill in the appropriate blanks on page 1 and sign the last page of each.

Retain the previously sent copies of the right-of-way map, the original and print of the Application for Right-of-Way and the Tribal Resolution granting the right-of-way for your files. Return the completed Grant of Easement for Right-of-Way and the original linen maps for each right-of-way to the Branch of Real Property Management, Phoenix Area Office. Necessary prints and distribution will be made at that time.

George S. Overby
Area Road Engineer

Enclosures

cc:

Real Property Management - S. Hernandez

→ Drafting Section

JDKelly:mb

GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the United States of America, acting by and through William Benjamin, Project Officer,
Joint Use Administrative Office, Bureau of Indian Affairs, Department of

the Interior, Flagstaff, Arizona, hereinafter referred to as

"Grantor," under authority contained in 10 BIA 3.1 as amended

August 1, 1973

; and pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 17, 25 U.S.C. 323-328), and Part 161, Title 25, Code of Federal Regulations, in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is acknowledged, does hereby grant to the Bureau of Indian Affairs, Department of the Interior, its successors and assigns, hereinafter referred to as "Grantee," an easement for a right-of-way for the following purposes, namely: The right to enter upon the hereinafter described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a public road, including incidental purposes consistent therewith, together with such bridges, culverts, ramps, and cuts as may be necessary, on, over, under, and across the ground embraced within the right-of-way situated on the following described lands located in the County of Navajo, State of Arizona:

A right-of-way, 100 feet in width across the Hopi-Navajo Joint Use Area located in unsurveyed Section 3, T. 29 N., R. 20 E., and unsurveyed Sections 25, 26, 34 and 35, T. 30 N., R. 20 E., G&SRB&M, Arizona. The said easement as shown on Map No. H0-60-2, attached hereto and whose centerline is more particularly described as follows:

Beginning at Station 560+29.90 (H0-60-1 Station 560+29.90), which bears S.54°02'E., 1,521.60 feet from Hopi Indian Reservation Boundary Mile Post 55; thence N.58°08'34"E., to P.C. Station 563+10.56; thence northeasterly 534.19 feet along Curve No. 1, concave to the northwest (having an angle of intersection of 10°41'02", a degree of curve of 2°00'00" and a tangent of 267.87 feet) to P.T. Station 568+44.75; thence N.47°27'32"E. to P.C. Station 592+20.44 thence

1 IN WITNESS WHEREOF, Grantor has executed this grant of easement
2 this 23, day of October, 1973.

3 UNITED STATES OF AMERICA

4
5 By Robert Dusenbury
6 for WILLIAM BENJAMIN, PROJECT OFFICER
7 U.S. DEPARTMENT OF THE INTERIOR
8 BUREAU OF INDIAN AFFAIRS
9 JOINT USE ADMINISTRATIVE OFFICE
10 FLAGSTAFF, ARIZONA 86001

11 A C K N O W L E D G M E N T

12 STATE OF Arizona)
13) ss
14 COUNTY OF Coconino)

15 BEFORE ME, a Notary Public, in and for said County and State, on
16 this 23rd day of October, 19 73, personally
17 appeared Robert Dusenbury, whose name is subscribed
18 to the foregoing Grant of Easement for Right-of-Way as Acting
19 Project Officer, Bureau of Indian Affairs, and
20 who acknowledged that he is and was at the time of signing the same,
21 Acting Project Officer, Bureau of Indian Affairs; and he
22 personally acknowledged to me that he executed the said Grant of Easement for
23 Right-of-Way as his free and voluntary act and deed for the uses and purposes
24 set forth therein.

25 Kerki Jaimes
26 Notary Public

27 My Commission Expires:
28
29
30
31
32

1 TO HAVE AND TO HOLD the said easement and right-of-way unto the
2 Grantee and unto its successors and assigns, together with the right to
3 authorize, permit and license the use thereof for utility lines, including
4 water and sewer lines, when these are not inconsistent with the use of the
5 property for a public road, and with the further right in the Grantee, its
6 successors and assigns to transfer said right-of-way by assignment, grant, or
7 otherwise.

8 The said easement to include the right to cut back and trim such
9 portion of the branches and tops of the trees now growing or that may hereafter
10 grow upon the above-described premises, as may extend over said right-of-way,
11 so as to prevent the same from interfering with the efficient maintenance and
12 operation of said public road.

13 This easement is subject to any prior valid existing right or adverse
14 claim and is without limitation as to tenure, so long as said easement shall be
15 actually used for the purpose above specified; PROVIDED, that this right-of-way
16 shall be terminable in whole or in part by the Grantor for any of the following
17 causes upon 30 days' written notice and failure of the Grantee within said
18 notice period to correct the basis for termination (25 CFR 161.20):

19 A. Failure to comply with any term or condition of the grant or the
20 applicable regulations.

21 B. A nonuse of the right-of-way for a consecutive two-year period
22 for the purpose for which it was granted.

23 C. An abandonment of the right-of-way.

24 D. Failure of the Grantee, upon the completion of construction, to
25 file with the Grantor an affidavit of completion pursuant to 25 CFR 161.16.

26 The condition of this easement shall extend to and be binding upon
27 and shall inure to the benefit of the successors and assigns of the Grantee.

28 This easement is expressly subject to the stipulations required by
29 25 CFR 161.5 except those required by subsection (c) thereof are hereby waived.

1 northeasterly 444.95 feet along Curve No. 2, concave to the northwest (having
2 an angle of intersection of $17^{\circ}47'52''$, a degree of curve of $4^{\circ}00'00''$ and a
3 tangent of 224.28 feet) to P. T. Station 596+65.39; thence $N.29^{\circ}39'40''E.$ to
4 P.C. Station 602+91.33; thence northeasterly 336.03 feet along Curve No. 3, con-
5 cave to the southeast (having an angle of intersection of $6^{\circ}43'18''$, a degree of
6 curve of $2^{\circ}00'00''$ and a tangent of 168.23 feet) to P.T. Station 606+27.41; thence
7 $N.36^{\circ}22'58''E.$ to P.C. Station 642+62.37; thence northeasterly 1,425.89 feet
8 along Curve No. 4, concave to the southeast (having an angle of intersection
9 of $3^{\circ}33'53''$, a degree of curve of $0^{\circ}15'00''$ and a tangent of 713.17 feet) to P.T.
10 Station 656+88.26; thence $N.39^{\circ}56'51''E.$ to P.C. Station 675+39.22; thence north-
11 easterly 554.61 feet along Curve No. 5, concave to the southeast (having an
12 angle of intersection of $11^{\circ}05'32''$, a degree of curve of $2^{\circ}00'00''$ and a tangent
13 of 278.18 feet) to P.T. Station 680+93.83 Back = P.T. Station 680+93.80 Ahead
14 EQUATION; thence $N.51^{\circ}02'23''E.$ to P.C. Station 711+32.75; thence northeasterly
15 1,167.25 feet along Curve No. 6, concave to the southeast (having an angle of
16 intersection of $70^{\circ}15'44''$, a degree of curve of $3^{\circ}30'00''$ and a tangent of 1,151.
17 85 feet) to end of right-of-way P.O.C. Station 723+00 (N-65-1 Station 723+00)
18 (N.1,809,975.966; E.506,475.725, Arizona East Zone); which bears $N.37^{\circ}45'55''W.,$
19 15,731.26 feet from "LOW MOUNTAIN W.T. (U.S.G.S. Triangulation Station)
20 (N1,797,482.989; E.516,601.999, Arizona East Zone).

21 The described easement contains 37.353 acres, more or less.
22
23
24
25
26
27
28
29
30
31
32

July 6, 1973

Roads

Memorandum

To: Floyd Schmidt, *Hopi Agency*

From: Branch of Roads

Subject: Tie on HO-60-2 to District 6 Boundary

Enclosed are an Incomplete right-of-way map and a topographic location map for HO-60-2.

We need a tie on the centerline to the District 6 Boundary, An angle and distance from P.C. 563+10.56 to either the witness post, 55 mile Post or 55 1/2 mile Post.

We would appreciate this at your earliest convenience.

L. S. Gentry

Area Road Engineer

JDKelly:mb 7/6/73

cc:
Drafting

Endorsements

[illegible]

$$\frac{16270.13}{5280} = 3.081 \text{ miles}$$

$$\frac{16270.13 \times 100}{43560} = 37.353 \text{ acres}$$

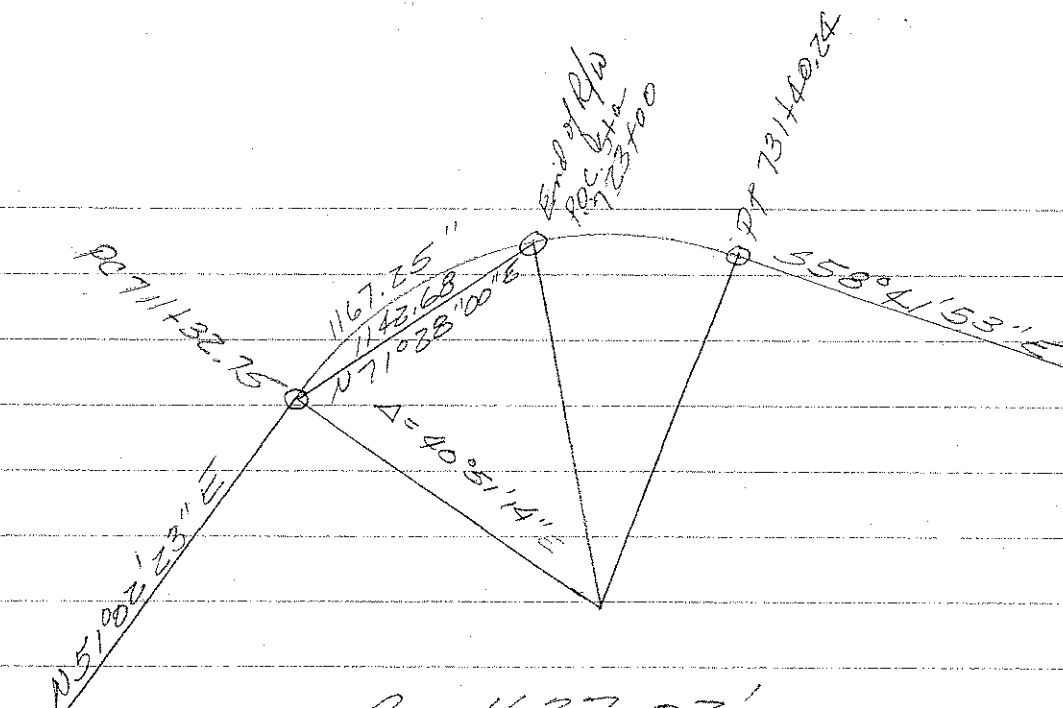
LOW MTN. W. T. (U.S.G.S.)

N 1,797,482.989 E 516,601.999

P.O.G. Sta 723+00 (END OF R/W)

N 1,809,975.966 E 506,475.725

BEARING: N 37° 45' 55" W, 15,731.26'



$$R = 1637.02'$$

$$\frac{\Delta}{2} = 20^{\circ} 25' 37''$$

$$N 51^{\circ} 02' 23'' E$$

$$+ 20^{\circ} 25' 37''$$

$$N 71^{\circ} 28' 00'' E$$

PC 711+32.75 COORDINATES

N 1,809,612.758 E 505,392.306

N 71^{\circ} 28' 00'' E, 1142.68'

POC 723+00 COORDINATES

N 1,809,975.966 E 506,475.725

Job Ident. No. 346518

Reservation HOP1 Proj. 60(2)

BEG OF R/W

~~Curve No.~~

~~P.I. Sta.~~ 560+29.90

~~P.O.T.~~

P.I. Coord. N 1,798,598.499

E 495,226.068

CURVE DATA

Δ =

D=

T=

L=

R=

Ext.=

Bearing Back

Bearing Ahd.

P.C. Sta. P.C. Coord. N

E

P.T. Sta. P.T. Coord. N

E

Distance: PI# to PI# =

Job Ident. No. 3H6518Reservation H-V (Joint Use Area) Proj. 6042Curve No. #1514P.I. Sta. 565+78.43

P.I. Coord.

N 1,798,888.0E 495,691.97

CURVE DATA

 $\Delta =$ 10° 41' 02" Lt.D = 2° 00'J = 267.87L = 534.19R = 2864.79Ext. = Bearing Back S 58° 08' 34" WBearing Ahd. N 47° 27' 32" E~~BOP~~P.C. Sta. 563+10.56 P.C. Coord. N 1,798,746.633E 495,464.451P.T. Sta. 568+44.75 P.T. Coord. N 1,799,069.128E 495,889.335

Job Ident. No. 346518Reservation H-10 (Joint Use Area) Proj. 60(2)Curve No. #16 15P.I. Sta. 594+44.72P.I. Coord. $\begin{matrix} \swarrow N & \underline{1,800,827.0} \\ \searrow E & \underline{497,804.9} \end{matrix}$

CURVE DATA

 $\Delta =$ $17^{\circ}47'52''$ LT.D = $4^{\circ}00'$ T = 224.28L = 444.95R = 1432.40Ext. = Bearing Back $S\ 47^{\circ}27'32''\ W$ Bearing Ahd. $N\ 29^{\circ}39'40''\ E$ P.C. Sta. 592+20.44 P.C. Coord. N 1,800,675.236E 497,639.571P.T. Sta. 596+65.39 P.T. Coord. N 1,801,022.092E 497,916.067

Job Ident. No. 346518Reservation HW Joint Use Area Proj. 602Curve No. #17 16.P.I. Sta. 604+59.56P.I. Coord. N 1,801,712.01
E 498,308.91

CURVE DATA

 $\Delta =$ 06°43'18" RT.D = 2°00' -T = 168.23L = 336.08R = 2864.79Ext. = Bearing Back S 29°39'40" WBearing Ahd. N 36°22'58" E.P.C. Sta. 602+91.33 P.C. Coord. N 1,801,565.831E 498,225.721P.T. Sta. 606+27.41 P.T. Coord. N 1,801,247.455E 498,408.763

Job Ident. No. 346518Reservation H/O (Joint Use Area) Proj. 602Curve No. #1817P.I. Sta. 649+75.54

P.I. Coord.

N 1,805,348.11
E 500,987.974

CURVE DATA

 $\Delta =$ 03°33'53" RT.D = 0°15'I = 713.17L = 1425.89R = 22918.31'Ext. = 22918.31Bearing Back S 36°22'58" WBearing Ahd. N. 39°56'51" E.P.C. Sta. 642+62.37 P.C. Coord. N 1,804,773.859E 500,564.938P.T. Sta. 656+88.26 P.T. Coord. N 1,805,894.752E 501,445.890

Job Ident. No. 3H6518Reservation HN (Joint Use Area) Proj. 60/2Curve No. 11918P.I. Sta. 678+17.39P.I. Coord. N 1,807,527.015E 502,812,973

CURVE DATA

 $\Delta =$ 11°05'32" RtD = 2°00'T = 278.175'L = 554.61R = 2,864.79Ext. = Bearing Back S 39°56'51" WBearing Ahd. N 51°02'23" EP.C. Sta. 675+39.22 P.C. Coord. N 1,807,313.756E 502,634.360P.T. Sta. 680+93.83Bk P.T. Coord. N 1,807,701.926680+93.80AhdE 503,029.276

Job Ident. No.

Reservation H-60-1 (St. Use Area) Proj.

Curve No. E.O.P.

~~P.T.~~ Sta. 723+00

P.O.C.

P.I. Coord. N

E

CURVE DATA

$\Delta =$ 70°15'44" Rt

D = 3°30'

T = 1151.85'

L = 2007.49'

R = 1637.02'

Ext. =

Bearing Back S 51°02'23" W

Bearing Ahd. S 58°41'53" E

P.C. Sta. 711+32.75 P.C. Coord. N 1809,612.758

E 505,392.306

~~P.T.~~ Sta. 723+00 ~~P.T.~~ Coord. N 1809,975.966

P.O.C.

P.O.C.

E 506,475.725